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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/342,280    06/29/99    HEIMAN

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STEPHEN M HEIMAN  
212 LOUIS DRIVE  
EXTON PA 19341

MM91/0809

EXAMINER
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GOODWIN, T

ART UNIT	PAPER NUMBER
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2859

DATE MAILED:

08/09/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/342,280

Applicant(s)  
Helman et al.

Examiner  
Jeanne-Marguerite Goodwin

Art Unit  
2859



-- Th MAILING DATE of this communication appears on the cover sheet with th correspondenc address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Mar 16, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 21-34 is/are pending in the applica
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from considera
- 5) ☒ Claim(s) 30-34 is/are allowed.
- 6) ☒ Claim(s) 21-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirem

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on Mar 16, 2001 is: a) ☒ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other: \_\_\_\_\_

Art Unit: 2859

## **DETAILED ACTION**

### ***Specification***

1. The entire disclosure, i.e. specification and claims, should be revised carefully to correct any grammatical and idiomatic errors which may be present. For example, in the specification, page 7, line 1, --38-- should be added after "convertor" to better describe the invention.

### ***Claim Rejections - 35 USC § 112***

2. Claims 21-29 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: between the storage device, timer, remote control means, electro-acoustics device and processor as stated in claims 21 and 26.

Claims 22-25 and 27-29 are rejected to as being dependent upon a rejected claim.

### ***Allowable Subject Matter***

3. Claims 21-29 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action.

4. Claims 31-34 allowed.

Art Unit: 2859

*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in the PTO-892 disclose related device and methods. Jones et al. discloses a hand held athletic officiating timer; Poe et al. discloses a timed repeating instructions apparatus and method; and Baker discloses a remote alarm device.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanne-Marguerite Goodwin whose telephone number is (703) 305-0264.

The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:00 PM.

The fax phone number for the organization where this application or proceeding is assigned is (703)308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.



JMG  
August 7, 2001

CHRISTOPHER FULTON  
PRIMARY PATENT EXAMINER  
TECHNOLOGY CENTER 2800